

Chapter 6B

SUBDIVISIONS AND PLANNED UNIT DEVELOPMENTS: PRE-APPLICATION AND PRELIMINARY PLAT APPROVAL PROCESSES

- 6B.1** **Subdivision/PUD Pre-Application Process**
- 6B.2** **Subdivision/PUD Preliminary Plat Process**

6B.1 **Subdivision/PUD Pre-Application Process**

6B.1.1 **Purpose**

The purpose of pre-application review is to allow the developer to become better informed about the City's subdivision/PUD requirements and for the City Administration, Plan Commission and City Council to learn what the developer is proposing and to provide relevant comments early on in the development process.

Unless otherwise waived by the Building and Zoning Director, pre-application review material shall be presented to the Plan Commission for purposes of informal discussion and input. Such discussion shall occur at a regularly scheduled Plan Commission meeting. Except as provided for in this Ordinance, comments made by the City Administration or Plan Commission during a pre-application review discussion are advisory only and not binding on either the applicant, the City administration, the Plan Commission, or the City Council.

6B.1.2 **Pre-Application Procedure**

- A. Sketch Plan Conference. Before filing an application for plat/PUD approval, the developer shall meet with the Building and Zoning Director and other relevant City personnel. The purpose of the conference is to allow the developer to present a general concept of their proposed development prior to the preparation of detailed plans. The City shall advise the developer of the zoning requirements and city plans which might affect the proposed development as well as the procedural steps for approval

The Building and Zoning Director shall forward the pre-application review material to the Woodstock Fire/Rescue District for review and input regarding fire safety and emergency access. If the proposed subdivision/PUD contains a residential component, the pre-application review material shall be forwarded to (1) Parks and Recreation Staff for review and recommendations regarding the need for and location of public park amenities, and to (2) Woodstock Community Unit School District 200 for review and input regarding impact on school capacity and access.

- B. Pre-Application Review by Plan Commission. After a sketch plan conference is held, the developer may present pre-application review materials to the Plan Commission for informal discussion. Such discussion shall occur at any regularly scheduled or special

Plan Commission, but no public notification requirements shall be required. The applicant's submittal should include information regarding site conditions and land characteristics, such as, but not limited to the following materials:

- Written "letter of intent" from the developer establishing their intentions as to development of the land and background information on past development experience.
- a location map of the subject site, including ownership information and acreage.
- existing and proposed zoning, and a description of proposed land uses.
- density, street and lot arrangement, tentative lot sizes, the location of existing streets and lots abutting the site, and surrounding land uses.
- major development features, and the general location of natural and environmental resources, including woodlands, wetlands, floodplain, and soil conditions.
- tentative proposals regarding water supply, sewage disposal, surface drainage and street improvements, as appropriate.

- C. Pre-Application Review by City Council. Pre-application review by the City Council may be required or desired to provide greater exposure and input in the early planning stages. Either the Director of Building and Zoning or applicant can request a pre-application meeting with the City Council.

Pre-application plans shall be prepared on 24 inch by 36 inch sheets, and accompanying descriptive materials may be on 8-1/2 inch by 11 inch sheets. The sketch plan is not intended to be completed as a precisely engineered plan but must contain sufficient detail to permit a technical and planning review.

6B.2 Subdivision/PUD Preliminary Plat Process

6B.2.1 Purpose

The preliminary plat indicates the layout and design of a subdivision/PUD, and includes information pertaining to proposed streets, lot lines, physical characteristics, environmental features, and preliminary site engineering improvements. An approved preliminary plat gives the developer a commitment from the City that the development design is acceptable and that preparation of required final engineering plans and final plat documents may begin.

6B.2.2 Public Hearing Requirement

Because the subdivision/PUD submittal may include a request for exceptions from the requirements of this code, or because required zoning specifications may be amended as part of the subdivision/PUD approval process, the Plan Commission shall conduct a public hearing on all preliminary plat submittals. Neighbor, newspaper, and posted notices shall be provided for all public hearings in accordance with the provisions of this Ordinance. Owners of all property within 250 feet of the subject property shall be notified. The petitioner shall mail notice by First Class US Mail to either (1) the owner(s), as recorded in the office of the McHenry County Recorder of Deeds; or (2) the person(s) who last paid property taxes as reflected in the tax records of the McHenry County Treasurer. The date for the public hearing shall be established by the Building and Zoning Director.

6B.2.3 Preliminary Plat/PUD Procedure

- A. Written application for preliminary plat/PUD review shall be made in a manner prescribed by the City. The application shall be accompanied by required fees, supporting data, plans, and other required information to indicate the extent and nature of the subdivision.
- B. The preliminary plat/PUD application and supporting data shall be reviewed by the Building and Zoning Director to determine its compliance with submittal requirements. Once the application and the supporting data are deemed complete, copies of it shall be submitted to the Plan Commission for a recommendation.
- C. The Plan Commission shall review the preliminary plat/PUD to determine that the purpose and intent of these regulations are carried out. After conducting a required public hearing on the preliminary plat/PUD, the Plan Commission shall recommend to the City Council approval, approval with conditions, or disapproval, or indicate the reasons why a recommendation cannot be made. Such a recommendation shall be made within thirty (30) days following the date on which the required public hearing is concluded and closed. This time frame may be extended to a specific date at the request of the Plan Commission subject to the petitioner agreeing to such extension.
- D. If the Plan Commission recommends disapproval of a preliminary plat/PUD or does not render a recommendation, the Building and Zoning Director shall provide the applicant with written notification indicating the effect of the Commission's recommendation, the reasons for the Commission's action, and direction for continuing the preliminary plat approval process.
- E. The Plan Commission's action shall be valid for 12 months, within which time the preliminary plat must be presented to the City Council for consideration. If the preliminary plat is not submitted within this time frame, the Plan Commission's recommendation shall expire and be void.
- F. After receiving a required recommendation from the Plan Commission, the City Council shall approve, approve with conditions and/or modifications, or disapprove the preliminary plat/PUD, or may refer it back to the Plan Commission for additional consideration. The City Council's action shall occur within thirty (30) days following the date on which the preliminary plat/PUD submittal is presented to the City for consideration and placed on a City Council meeting agenda. This time frame may be extended to a specific date at the request of the City Council subject to the petitioner agreeing to such extension. When a preliminary plat/PUD is referred back to the Plan Commission for additional consideration, no additional neighbor, newspaper or posted notices shall be required, provided that said referral is to a date certain.
- G. Approval of a preliminary plat/PUD by the City Council is valid for a time period of 12 months. Within this time period, final engineering plans shall be submitted to the City Engineer and a final plat for the first phase of development or for the entire subdivision/PUD shall be submitted to the Building and Zoning Director. If said submittals do not occur within the specified time frame, the preliminary plat shall expire

and be void, unless said 12-month time period is extended to a specific date by the City Council at its discretion.

- H. Approval of a preliminary plat/PUD constitutes acceptance of the overall planning and design concepts and, except as provided for herein, is a prerequisite for the filing of a final plat. Approval of a preliminary plat/PUD does not constitute approval of the final plat. Rather, it shall be deemed an expression of preliminary approval of the layout depicted on the preliminary plat/PUD and a guide to the preparation of final plat documents. Such approval allows the applicant to proceed with the preparation of final engineering plans and final plat documents.

6B.2.4 Preliminary Plat/PUD Content

The preliminary plat/PUD submittal shall include the following material, except as may be waived by the Plan Commission or City Council as part of the pre-application meeting(s), or if pertaining to preliminary engineering plan requirements, as may be waived by the City Engineer. This material shall be submitted with the application for review by the City prior to being submitted for distribution to the Plan Commission.

- A. **Application.** The developer shall complete and submit a Development Review Application which may be obtained from the Building and Zoning Department, and shall include:
- 1) Name, address and telephone number of the owner. If property ownership is in trust, the name and address of each person or entity owning an interest in the property and the extent of such ownership interest unless any of such entities is a corporation, LLC or a partnership, in which case only those persons owning an interest in excess of ten percent (10%) in such corporation, LLC or partnership need be identified by name, address and extent of interest.
 - 2) Name, address and telephone number of the applicant, if different from the owner, including the name and address of each person or entity owning an interest in the applicant and the extent of such ownership interest unless any of such entities is a corporation, LLC or a partnership, in which case only those persons owning an interest in excess of ten percent (10%) in such corporation, LLC or partnership need be identified by name, address and extent of interest. For purposes of this subsection, the term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application. The application shall include the signature of the owner(s).
 - 3) An affidavit in which the applicant: a) lists the names and addresses of the record owners of each parcel of property located within two-hundred and fifty feet (250') of the subject property, excluding public streets and rights-of-way; and b) states under oath that the list is true and correct to the best of the applicant's knowledge and belief.
 - 4) A plat of survey and legal description for the entire tract in which the planned unit development is sought and a legal description of each zoning district as part of the planned unit development.

- B. **Required Submittals.** The submittal materials required by this section shall be numbered consecutively and bound into a package that contains the (1) Preliminary Plat/Preliminary PUD, (2) Existing Conditions and Natural Resources Map/Report, (3) Preliminary Engineering Plan and (4) Planning Report. Each sheet shall have a title block that identifies the name of the subdivision/PUD, the sheet number, the name of the developer, the name and address of the preparer, and the date on which it was prepared. The planning report may be presented on 8.5 inch by 11 inch paper.

1. **Preliminary Plat/PUD.** The preliminary plat/PUD shall be prepared on sheets measuring no more than 24 inches by 36 inches, unless the size of the subdivision/PUD necessitates larger sheets or a change in scale as determined by the Building and Zoning Director. The preliminary plat shall be prepared at a scale of 1 inch equals 50 feet or, if because of the area of the subdivision/PUD, one inch equals 100 feet. A graphic scale and north arrow shall be provided. Linear dimensions shall be given in feet and decimals of a foot and area dimensions shall be given in acres or square feet. The preliminary plat/PUD shall contain the following information:

a.	The name of the subdivision/PUD and the name of the developer, along with a statement of the present ownership of all land within the project. The name of the subdivision/PUD shall not duplicate any other in McHenry County except when it is an addition to an existing subdivision/PUD.
b.	Legal description of property and boundary survey prepared by a registered Illinois Land Surveyor or registered Illinois Professional Engineer. The legal description shall include relevant section and quarter-section lines, township, range, meridian, and property lines, including their bearings and distances. The boundary survey shall include angles, bearings, azimuths, dimensions, and curve data for all existing property and right-of-way lines, as well as the location of all existing recorded easements on the property. If a development is intended to occur in phases, said phases should be delineated if known.
c.	A location map showing the site in relation to the City of Woodstock.
d.	<p>The location of the following proposed improvements shall be depicted:</p> <ul style="list-style-type: none">▪ Lots. The layout, design, dimensions and building setback lines of all proposed lots. The design of proposed lots which results in the formation of irregularly shaped lot lines is prohibited unless such lines follow natural features such as streams, wetlands, or similar natural features. All lots shall be consecutively numbered and outlots shall be designated by letter.▪ Rights-of-Way. The layout and design of all proposed public and private streets and street right-of-way. Right-of-way widths and cul-de-sac radii shall be labeled and proposed street names shall appear on the plat. Street names shall not duplicate any other street in the City of Woodstock, in the underlying township, or within the 60098 zip code area except when the street is an extension of an existing street.▪ Open Space Areas. All proposed open space areas shall be identified by type (such as natural resource protection area, wetland buffer, private recreation, storm water management, etc.) and proposed ownership (easement, homeowners association, lot owner, etc.).▪ Dedications. All land intended to be used for schools, parks, recreation areas, or other similar purposes shall be depicted as "outlots" and designated with and subject to an appropriate easement.
e.	A preliminary plan depicting preliminary landscape features and amenities intended to be installed as part of the proposed development.

2. Existing Conditions and Natural Resources Map/Report. This submittal is intended to provide information regarding the current features on a site, its physical and environmental features, how these features may be impacted by the development activity, and how the design of the development accommodates these features. The Existing Conditions and Natural Resources Map/Report is part of the required preliminary plat materials and shall be submitted at the same time as the preliminary plat. It is not required for a minor subdivision/PUD or where a proposed subdivision/PUD consists of the division of land previously subdivided or developed. The Existing Conditions and Natural Resources Map/Report shall be prepared at a scale of 1 inch equals 50 feet or, if because of the area of the subdivision/PUD, one inch equals 100 feet. A graphic scale and north arrow shall be provided.

a.	The existing lots, parcels, road rights-of-way and easements, including street names, on the subject site and all adjoining lands.
b.	The location of all existing constructed features including but not limited to streets, driveways, farm roads, buildings, foundations, walls, drain tiles, drainage routes, and trails.
c.	Existing zoning on the site and on adjoining lands, and names and locations of adjoining subdivisions. If a zoning change is being requested, proposed zoning must also be indicated.
d.	Topographic elevations with one-foot contours, including ridge lines, referenced to United States Geological Survey (USGS) datum benchmarks (USGS mean sea level), with spot elevations along all drainage channels or swales. Ridgelines shall be clearly delineated. If deemed necessary by the City Engineer, said contour lines shall extend beyond the development boundaries a distance of one-hundred feet onto adjoining land.
e.	The location and delineation of wetlands, streams, creeks, surface hydrological features, natural drainage swales, and the 100-year floodplain. If wetlands extend beyond the subdivision/PUD boundary, a separate document or map shall be provided that shows the general extent of the entire wetland.
f.	The location of significant vegetation, meadows, cultivated land, pastures, permanent grass land, wooded areas, and areas of natural plant coverage. A survey of trees by name, type, condition, and location which have a diameter at breast height (DBH) of four or more inches shall be provided. If the tree survey is provided in textual form, it shall be accompanied by a map showing the location of said trees, topography, and proposed lot and parcel lines. Where trees are part of a group or cluster that will be preserved, identification of individual trees is not required. Trees to be removed shall be identified.
g.	An analysis of soil types and conditions on the subdivision/PUD site shall be provided. Such an analysis shall be based on soil borings taken from the site and a minimum of one soil boring per developable acre at a minimum depth of eight feet. Areas not intended for development activity, characterized by natural features, or not used for building or construction activity, may be excluded from this requirement and the number of borings required may be adjusted by the City Engineer. The City Engineer may also require additional soil boring information as part of the final engineering plan submittal. Soil and subsurface conditions, as well as unique geological features, shall be identified. The depth below existing grade of the seasonal high-water table and its directional flow shall be provided.

3. Preliminary Engineering Plan. The location and dimensions of the following infrastructure improvements and landscape amenities shall be shown:

a.	Street and roadway information, including proposed roadways with pavement dimensions, right-of-way width, centerline stationing at 100-foot intervals, horizontal curve data, intersection radii and center line slopes indicating direction and slope.
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b.	An analysis of existing and projected traffic patterns and volumes, based on the type of development activity being proposed and the number of dwelling or occupancy units. No subdivision/PUD shall be approved if its development will result in a lower level of service. The maximum amount of traffic that will be permitted in the City shall be the Institute of Traffic Engineers' level of service C, unless a lesser level of service is deemed acceptable by the City Engineer.
c.	Sanitary sewer system improvements, including the location of proposed sanitary sewers and associated structures, such as manholes and lift stations. The size, direction of flow and connection to off-site collection sewers shall be indicated.
d.	Water system infrastructure, including the location and size of all proposed water mains and associated structures, such as valves, vaults, and fire hydrants. The connection to off-site water distribution system mains shall be indicated.
e.	Storm water management facilities, including the location and description of proposed components of the storm water management system.
f.	Proposed parkway and lot landscaping.
g.	Proposed grading improvements, including existing and proposed grading contours.

4. Planning Report. The information required herein may be presented on 8.5 inch by 11 inch paper and compiled into a single report which includes the following:

a.	The names, addresses, and telephone numbers of individuals and firms involved in the design and development of the subdivision/PUD, including but not limited to the developer, the developer's attorney, and the developer's engineer.
b.	<p>Narrative information regarding:</p> <ul style="list-style-type: none"> ▪ The zoning of the subject property and a general description of the major features of the development. If a zoning change is contemplated, the proposed zoning should be stated. ▪ The type of subdivision (residential, commercial, industrial, planned development, traditional neighborhood design, etc.). ▪ The minimum lot standards required by the existing or proposed zoning, along with a sketch of a typical lot or lots for each use. ▪ The following lot and area characteristics in tabular form: average lot area, minimum lot area and maximum lot area, area in street right-of-way, number of dwelling units for a residential subdivision, and proposed uses for a non-residential subdivision or for a mixed-use development. ▪ A description of proposed school and park sites, if any. It should be noted if a cash contribution in lieu of land dedication is proposed. ▪ The zoning status and land use of abutting properties. ▪ Explanation of the character of the PUD and the reasons why it has been planned to take advantage of the flexibility of these regulations, including how it relates to the City's comprehensive planning documents. ▪ A general assessment of revenue and expenditure impacts that local governing and taxing bodies are likely to experience as a result of the proposed development.
c.	Preliminary exterior architectural plans and facade details in sufficient detail to permit an understanding of the style of the development. These are not required if single-family detached dwellings are proposed or if lots are intended to be developed by separate builders and contractors.
d.	Draft language, in the form of covenants or deed restrictions, which addresses how common areas, including but not limited to storm water management facilities and open space, will be owned and maintained.

e.	<p>Special plans, studies and analyses as deemed necessary, including, but not limited to:</p> <ul style="list-style-type: none"> ▪ Preliminary landscaping plans ▪ Preliminary lighting plans ▪ Preliminary master signage plans ▪ Fiscal impact analysis ▪ Market feasibility analysis ▪ Traffic impact analysis
f.	<p>Narrative information regarding infrastructure improvements, including:</p> <ul style="list-style-type: none"> ▪ Roadway improvements. The name, classification, existing and ultimate right-of-way width of each publicly dedicated road right-of-way adjoining the subject property. ▪ Typical right-of-way cross section, along with total linear feet of proposed roads and the length of all proposed cul-de-sacs, if any. ▪ Storm water management improvements, including preliminary description of the proposed storm water management system, which may include preliminary drainage for roads, depiction of flood-prone areas and drainage ways, and locations of detention area, swales, channels, culverts, compensatory water storage areas, and other similar components, unless deemed not applicable by the City Engineer. ▪ Sanitary sewer and water system improvements, including a preliminary description of the proposed water and sanitary sewer systems, which may include the following unless deemed not applicable by the City Engineer: flow direction, points of connection to the existing systems, a description of necessary easements, a determination if a lift station will be needed or if existing lift stations will need to be upgraded, invert elevations at points of connection and lowest on-site invert elevation, a discussion of current and future looping requirements, and a discussion of major anticipated system improvements (such as water storage facilities, lift stations, booster stations, and emergency generators) and their proposed locations.
g.	If applicable, a <u>Natural Resources Information</u> (NRI) report prepared by the McHenry County Soil and Water Conservation Service and applicable Illinois Department of Natural Resources (IDNR) reports.
h.	If applicable, an <u>Endangered Species Consultation Program Action Report</u> from the Illinois Department of Natural Resources. (Ordinance Number 09-O-64, adopted October 20, 2009).
i.	If applicable, comments from the Illinois Historic Preservation Agency regarding compliance with Section 106 of the National Historic Preservation Act of 1966, as amended and its implementing regulations, 36 CFR 800: "Protection of Historic Properties".

Commentary:

The Illinois Statutes, 70 ILCS 405/22-02a, establish criteria for when a Natural Resources Information (NRI) report is required. The responsibility for applying for, receiving, and submitting such a report to the City is with the developer. An NRI shall be in place at the time the preliminary plat is submitted. The developer is responsible for demonstrating how natural resource issues raised in the NRI have been or will be addressed.

The Illinois Department of Natural Resources' (IDNR) consultation process, as discussed in the Illinois Compiled Statutes, 520 ILCS 10/11, shall be initiated before Preliminary Plat approval and completed before Final Engineering Plan approval. The developer is responsible for submitting all necessary documents and for following through with the consultation process. Based on the consultation process, additional area may need to be set aside or additional measures taken to protect natural resource areas.